

**UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE**

## **ORDER OF REVOCATION AND DETENTION**

This matter came before me this date for a hearing on the government's Motion to Revoke Order of Release ("Motion") (Docket No. 136) pursuant to 18 U.S.C. § 3148. The defendant appeared with counsel. The government relied on the testimony of U.S. Probation Officer Ryan Petroff and the affidavit of U.S. Probation Officer Scott Hastings filed in support of the Motion (Govt. Exh. 1). The defendant relied on the testimony of Officer Hastings and third-party custodian James A. Pulk, Jr. and on three photographs (Deft. Exhs. 1-3).

On the basis of the hearing record, I find by clear and convincing evidence that on numerous occasions the defendant has violated paragraphs 7(t) and (v) of the Order Setting Conditions of Release dated and filed on August 14, 2006 (Docket No. 55).

The foregoing notwithstanding, the defendant seeks to be retained on release. However, it is apparent that, based on the nature and circumstances of the current violations, he is unlikely to abide by any condition or combination of conditions of release, and I so find. Accordingly, I ORDER that the defendant's release be revoked and that he be detained pending the outcome of his trial.

The defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purposes of an appearance in connection with a court proceeding.

Dated this 7th day of February, 2007.

/s/ David M. Cohen  
David M. Cohen  
United States Magistrate Judge